

411889

## Alco Transportation, Inc.

1176 E GRAND AVENUE  
ARROYO GRANDE CA 93420  
805-481-5710  
805-473-0738 FAX

DEPT. OF TRANSPORTATION  
DOCKETS

2006 AUG 28 P 2:56

August 18, 2006

U.S. DOT Dockets  
U.S. DOT Department of Transportation  
400 Seventh Street, S.W. Room PL 401  
Washington DC 20590

FMCSA - 2006 - 24946 - 3

Dear Field Administrator:

As required we are writing this letter to describe the actions taken to improve the safety of our company.

Under part B requirements and recommendations item #8 I have enclosed a copy of the Motor Carrier Identification report, biennial update that was already filed May 25, 2006. I again completed another and have mailed it out so that there would be current information with out the question if it had been done. As it already had.

Item #1 has been addressed by making notations in our Quick Books "To Do Notes". This comes up each day upon booting the system and is set for 30 days before drivers hire date anniversary to give ample time to send and retrieve the required driving record and list of violations. Only one driver fell into this category as others have not been here over a year.

Items #2 - 6 are required by all drivers both governmentally and as company policy. Though this proves difficult to enforce for obvious reasons, The miles are ran prior to dispatching. This allows evaluation of legal and reasonable time estimates. (We use a Rand McNally computerized mapping program). It also allows for better planning of equipment maintenance. We are implementing more dispatch control. We are having dispatch, direct drivers to fuel stops and recommending preferred routes of travel and suggest stopping patterns to manager hours spent behind the wheel and hours off duty.

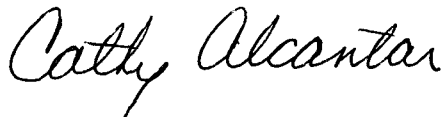
I have placed a specific staff member in charge of reviewing logs, recording findings, and communicating with drivers. Drivers are spoken with on a one on one basis to help them understand and complete logs accurately.

A letter has been sent to drivers for them to review the violations discovered by the audit. It has become policy and is explained in the driver letter that suspension from duty one to seven days may be implemented if improved logs are not seen. It is also required for the drivers communicate with the office staff.

Drivers have been text messaged as to the I-10 Banning to San Bernardino as being a high crash corridor and if traveling this route to use extreme caution and stay extra alert.

We sincerely thank you for your time spent here appreciate any recommendations to improve our company.

Sincerely,

A handwritten signature in cursive script that reads "Cathy Alcantar". The signature is fluid and elegant, with the first name "Cathy" and last name "Alcantar" clearly distinguishable.

Cathy Alcantar  
Administrator  
Alco Transportation, Inc.

copy

August 16 2006

Lori Platko,

Please review the descriptions of driver violations recently discovered upon audit by DOT. Many items were related to the manner and fashion in which you are keeping or not keeping logs.

It is imperative to continue operation; these items are reviewed and corrected. Continued violations may end up in suspended duty from one to seven days.

Great detail and attention must be paid to the logs.

We are checking these logs in house as described by DOT. Excessive repeat negligence in filling out minor areas will not be tolerated. Communication with the office staff that is reviewing will be required.

We are aware that you are a hard worker and run hard at time. Please do not take this personal but as a matter of business DOT is cracking down and we must make you aware of the corrections and have them done in order to continue in the industry. If we do not make drivers comply or dismiss them, we could be suspended or unable to operate. This would not be good for anyone.

Please review the items and make corrections. The information contained here in is for you only and is not to be shared or disputed.

Sincerely,

Cathy Alcantar  
Alco Transportation, Inc.

3/17

FAXED  
6-19-06

## Alco Transportation

## Log Audit Report

Driver: Lori Platko

May 2006

You work for Alco Transportation.

Violation	Date
Average Speed Over Speed Limit	
Travel Time Not Shown On Grid	
Driving On Excess Of 11hrs	
Driving After 14 hrs On Duty	
Driving In Excess Of 70 hrs In 8 Days	
Log Missing	
Abbreviating Name Of City/Town	
Name of Co-Driver Missing	
Possible False Entries	
More Than One Log For 24 hrs	
Log Not Dated Correctly	
✓ Driving Mileage Missing	all
Vehicle Number Missing	
✓ Carrier Name Missing	Incomplete all
Driver Signature Missing	
Home Terminal Not Used	
Carriers Main Office Address Missing	
Total Hours Missing	
Total Hours Of Duty Status Incorrect	
✓ Shipping Document Info Missing	incomplete.
Graph Grid Incomplete	
Fueling Time Not Shown	
Inspection Time Not Shown	17th - 31st
Change Of Duty Location Missing	
Other:	

Lori this is your second warning you must record your miles each day.Shipper & Commodity!!!

You must fill out the drivers vehicle inspection report daily. This is required by D.O.T.

Remarks: You are making the same mistakes.Prepared By: Kelly Brady

Management has this date 5/13/06 reviewed my logs with me and I fully understand the errors I have made. I understand my logs must be in compliance at all times. If they are not, I and my employer may be subject to fines.

Driver:

Lori Platko

Supervisor:

Paul Alab



ALCO TRANSPORTATION INC

U.S. DOT #: 979506

State #: 221119

Review Date:

08/09/2006

**Safety Fitness Rating Explanation**

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

**FACTOR 1 General (CFR Parts 387, 390)****VIOLATIONS AFFECTING RATING**

NONE

**POINTS**

TOTAL POINTS: 0 = SATISFACTORY

√ 0 Point = Satisfactory  
1 Point = Conditional  
>1 Point = Unsatisfactory

**FACTOR 2 Driver Qualification (CFR Parts 382, 383, 391)****VIOLATIONS AFFECTING RATING**

NONE

**POINTS**

TOTAL POINTS: 0 = SATISFACTORY

√ 0 Point = Satisfactory  
1 Point = Conditional  
>1 Point = Unsatisfactory

**FACTOR 3 Operational/Driving (CFR Parts 392, 395)****VIOLATIONS AFFECTING RATING**

NONE

**POINTS**

TOTAL POINTS: 0 = SATISFACTORY

√ 0 Point = Satisfactory  
1 Point = Conditional  
>1 Point = Unsatisfactory

**FACTOR 4 Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))****VIOLATIONS AFFECTING RATING**

NONE

**POINTS**

Out-of-Service (OOS) Percentage: 20.0

TOTAL POINTS: 0 &amp; 20.0% OOS = SATISFACTORY (see chart)

<b>Fewer than 3 Inspections</b>		<b>3 or more Inspections</b>	
Rate same as other Regulatory Factors 1, 2, and 3		OOS Less than 34%	OOS 34% or Higher
		√ Satisfactory	Conditional
		Conditional	Unsatisfactory
0 Point = Satisfactory 1 Point = Conditional >1 Point = Unsatisfactory		If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation

**FACTOR 5 Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)**

Not Applicable - Not a carrier of Hazardous Material

NONE

**FACTOR 6 Accident (Recordable Accident Rate)** $((\text{Recordable Accidents}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$ **Factor Rating Cannot be Less Than Satisfactory because carrier has only one accident****OVERALL SAFETY FITNESS RATING**

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

0

0

= SATISFACTORY





ALCO TRANSPORTATION INC

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### Safety Fitness Rating Explanation

#### FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

##### Number of Factors

Unsatisfactory

Conditional

OVERALL RATING

√

0

2 or fewer

Satisfactory

0

3 or more

Conditional

1

2 or fewer

Conditional

1

3 or more

Unsatisfactory

2

0 or more

Unsatisfactory



## UNITED STATES DEPARTMENT OF TRANSPORTATION


**US DOT #**  
979506

**Legal:** ALCO TRANSPORTATION INC  
**Operating (DBA):**
**MC/MX #:** 419352 **State #:** 221119 **Federal Tax ID:** 77-0578034 (EIN)

**Review Type:** Compliance Review (CR) - Receipt

**Scope:** Principal Office

**Location of Review/Audit:** Company facility in the U. S.

**Territory:**
**Operation Types** Interstate Intrastate

**Carrier:** Non-HM N/A

**Shipper:** N/A N/A

**Cargo Tank:** N/A

**Business:** Corporation

**Gross Revenue:** \$1,100,000.00

**for year ending:** 8/8/2006

**Company Physical Address:**

 1176 E GRAND AVENUE  
ARROYO GRANDE, CA 93420

**Contact Name:** Fred Alcantar

**Phone numbers:** (1) 805- 481-5710 (2)

**Fax** 805-473-0738

**E-Mail Address:** alcotrans@aol.com

**Company Mailing Address:**

 1176 E GRAND AVENUE  
ARROYO GRANDE, CA 93420

**Report Summary**
**Report**
**# of Pages**

Part A - General

2

Part B - Violations

3

Part B - Recommendations

1

Review/Audit Receipt Page

1

**Total Pages**

7

**Disclaimer:** By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

 1325 J Street, Suite 1540  
Sacramento, CA 95814  
Phone: (916)930-2760 Fax:(916)930-2778

**This report will be used to assess your safety compliance.**
**Person(s) Interviewed**
**Name:** Fred Alcantar

**Title:** President

**Name:**
**Title:**
**Reported By:** *Barbara C. Capri* **Title:** S/I

**Code:** US1073 **Date:** 8/9/2006

**Received By:** *[Signature]*
**Title:** *Owner Rep.*


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**Carrier Classification**

Authorized for Hire

**Cargo Classification**

General Freight

Fresh Produce

Refrigerated Foods

**Does carrier transport placardable quantities of HM?** No

**Is an HM Permit required?** N/A

**Driver Information**

	Inter	Intra
< 100 Miles:		
>= 100 Miles:	4	

**Average trip leased drivers/month:** 0

**Total Drivers:** 4

**CDL Drivers:** 4

**Equipment**

	Owned	Term Leased	Trip Leased		Owned	Term Leased	Trip Leased
Truck Tractor	0	5	0	Trailer	0	5	0

Power units used in the U.S.: 5

Percentage of time used in the U.S.: 100







ALCO TRANSPORTATION INC

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## Part B Violations

1 FEDERAL	Primary: 391.51(b)(5)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
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**Description**

Failing to maintain a note relating to the annual review of the driver's driving record as required by 391.25(c)(2).

**Example**Fred Alcantar,  
Interstate trip: 06/10/06.

2 FEDERAL	Primary: 391.51(b)(6)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
--------------	-----------------------	-----------------	--------------	---------------------------------------	--------------

**Description**

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

**Example**Lori A. Platko,  
Interstate trip 05/22/06.

3 FEDERAL	Primary: 395.3(a)(1)	Discovered 1	Checked 117	Drivers/Vehicles In Violation 1	Checked 4
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**Description**

Requiring or permitting a property-carrying commercial motor vehicle driver to drive more than 11 hours

**Example**James Katz,  
Trip Date: 07/24/06.

4 FEDERAL	Primary: 395.3(a)(2)	Discovered 1	Checked 117	Drivers/Vehicles In Violation 1	Checked 4
--------------	----------------------	-----------------	----------------	---------------------------------------	--------------

**Description**

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after the end of the 14th hour after coming on duty.

**Example**

07/24/06 - James Katz drove 1/2 hour after being on duty 14 hours.

5 FEDERAL	Primary: 395.3(b)(2)	Discovered 4	Checked 89	Drivers/Vehicles In Violation 1	Checked 4
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**Description**

Requiring or permitting a property-carrying commercial motor vehicle driver to drive after having been on duty more than 70 hours in 8 consecutive days.

**Example**

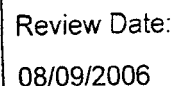
06/01/06 - 06/08/06, Lori Platko drove 5 hours after having been on duty more than 70 hours in 8 consecutive days.

6 FEDERAL	Primary: 395.8(e)	Discovered 1	Checked 117	Drivers/Vehicles In Violation 1	Checked 4
--------------	-------------------	-----------------	----------------	---------------------------------------	--------------

**Description**

False reports of records of duty status.

**Example**Lori Platko,  
trip date: 06/01/06,



7 FEDERAL	Primary: 395.8(e)	Discovered 7	Checked 117	Drivers/Vehicles In Violation 3	Checked 4
--------------	-------------------	-----------------	----------------	---------------------------------------	--------------

Matthew Murphy,  
trip date: 07/13/06.

Drivers/Vehicles In Violation	Checked
1	4

Lori Platko, trip date: 08/08/06; driver is failing to include on their record of duty status; mileage, bill of lading or shipper name and commodity.

Drivers/Vehicles In Violation	Checked
1	5

Lori Platko,  
Unit# 179,  
trip date: 06/01/06.

Drivers/Vehicles In Violation	Checked
1	5

Matthew Murphy,  
Unit# 150,  
date of report: 07/04/06.

OOS Vehicle (CR): 0  
Number of Vehicle Inspected (CR): 0  
OOS Vehicle (MCMIS): 1  
Number of Vehicles Inspected (MCMIS): 5

Rating Factors		Acute	Critical
Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Capri 6.4.0.39



**ALCO TRANSPORTATION INC**

U.S. DOT #: 979506

State #: 221119

Review Date:

08/09/2006

**Part B Violations**



**Part B Requirements and/or Recommendations**

1. At least once every 12 months review the driver's list of violations and compare the driving record of each driver to determine whether that driver meets minimum requirements for safe driving or is disqualified to drive a CMV pursuant to 391.15 of the FMCSR. Keep the list of violations, driving record, and annual review in each driver qualification file.
2. Establish a system to control drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 15, 20 and 70/80 hour limits.
3. Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
4. Require each driver to record the name of the city, town, or village, with State abbreviation where each change of duty status occurs, total miles, vehicle numbers, name of carrier & address, driver's signature, total hours, and bill of lading or shipper name and commodity on each record of duty status.
5. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure each report is signed by the driver, certified, and reviewed if defects are reported and maintained on file for a period of three months from the date the written report was prepared.
6. Ensure all fields of the driver vehicle inspection report are completed as required and certified by each driver with their signature.
7. Traffic Safety Alert: The California Division of the Federal Motor Carrier Safety Administration has identified a high crash corridor along 50 miles of Interstate 10 between Banning and San Bernardino. Over the past three years commercial motor vehicles were involved in 26 fatal accidents while traveling in this corridor. Your drivers should be informed to exercise extreme caution when operating in this area.
8. The Motor Carrier Safety Improvement Act of 1999 requires all Motor Carriers to file the Motor Carrier Identification Report, Form MCS-150 every 24 months. The filing is set according to the last two digits of your motor carrier USDOT number as follows: The last digit determines the filing month [if the digit is 1 through 9, the respective months January through September apply, October is represented by 0 (zero) and there will be no filing required in November and December] and the next to last digit determines the filing year; if it is even, the motor carrier must file its update in an even-numbered year; and if it is odd, it must file in an odd numbered year.
9. A copy of your carrier profile can be obtained for \$20 from the SAFER website ([www.safersys.org](http://www.safersys.org)) or by calling 800-832-5660 or 703 280-4001. You can also write: Computing Technologies Inc. P.O. Box 3248, Merrifield, VA 22116-3248. Profile cost if ordered by mail or phone is \$27.50.
10. NOTICE: Recurring violations of the same or related acute or critical regulations (violations of the same Part in Title 49 of the Code of Federal Regulations) that result in three enforcement actions within a six-year period will cause the maximum penalties allowed by law to be assessed for the third enforcement action.
11. Within 15 days, send a letter to the FMCSA describing what actions you have taken in response to this review to ensure that you are complying with the Federal Motor Carrier Safety Regulations.

